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INTELLECTUAL PROPERTY INC.  
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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 OAKLAND DIVISION  
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18 SEMICONDUCTOR EQUIPMENT AND  
19 MATERIALS INTERNATIONAL, a California  
Corporation,

20 Plaintiff,

21 v.

22 THE PEER GROUP INC., an Ontario, Canada  
23 Corporation, and PEER INTELLECTUAL  
PROPERTY INC., an Ontario, Canada  
24 Corporation,

25 Defendants.  
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Case No.: 15-cv-00866

**~~PROPOSED~~ ORDER**

1 Having considered Plaintiff Semiconductor Equipment and Materials International's  
2 (SEMI) motion to strike Defendants' defenses (Document No. 27), and Defendants' statement of  
3 nonopposition, request for leave to amend, and request to vacate the hearing, it is hereby  
4 ORDERED that:

- 5 (1) Defendants' first defense – failure to state a claim – is stricken without leave to  
6 amend;  
7 (2) Defendants' second defense – lack of subject matter jurisdiction – is stricken with  
8 leave to amend;  
9 (3) Defendants' third defense – licensee estoppel – is stricken with leave to amend;  
10 (4) The hearing set for June 9, 2015 is vacated; and  
11 (5) Defendants are granted leave to amended their answer, which shall be filed and  
12 served within (14) days of the date of this Order.

13 IT IS SO ORDERED.

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15 Dated: May 14, 2015

16   
17 The Honorable Yvonne Gonzalez Rogers  
18 United States District Court Judge  
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